

**SHEPPARD, MULLIN, RICHTER & HAMPTON LLP**

Rena Andoh (admitted *pro hac vice*)

randoh@sheppardmullin.com

30 Rockefeller Plaza

New York, NY 10112

Telephone: (212) 653-8700

Facsimile: (212) 653-8701

Lai L. Yip (SBN 258029)

lyip@sheppardmullin.com

Four Embarcadero Center, 17th Floor

San Francisco, CA 94111

Telephone: (415) 434-9100

Facsimile: (415) 434-3947

Travis J. Anderson (SBN 265540)

tanderson@sheppardmullin.com

12275 El Camino Real, Suite 100

San Diego, CA 92130

Telephone: (858) 720-8900

Facsimile: (858) 509-3691

Kazim A. Naqvi (SBN 300438)

knaqvi@sheppardmullin.com

1901 Avenue of the Stars, Suite 1600

Los Angeles, CA 90067

Telephone: (310) 228-3700

Facsimile: (310) 228-3701

*Attorney for Plaintiff and Counter-Defendant  
Moog Inc.*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

MOOG INC.,

Plaintiff,

v.

SKYRYSE, INC. ROBERT ALIN  
PILKINGTON, MISOOK KIM, and  
DOES NOS. 1-50,

Defendants.

Case No. 2:22-cv-09094-GW-MAR

**PLAINTIFF AND COUNTER-  
DEFENDANT MOOG INC.'S  
APPLICATION FOR LEAVE TO  
FILE UNDER SEAL DESIGNATED  
MATERIALS FROM ITS  
AMENDED COMPLAINT**

Judge: Hon. George H. Wu

1 SKYRYSE, INC.,  
2 Counterclaimant,  
3 vs.  
4 MOOG INC.,  
5 Counter-Defendant.

**TO THE ABOVE CAPTIONED COURT, AND TO ALL PARTIES  
AND THEIR ATTORNEYS OF RECORD:**

Pursuant to Local Rule 79-5 *et seq.*, Plaintiff and Counter-Defendant Moog Inc. (“Moog”) hereby submits this application for an order permitting it to file under seal certain excerpts and documents (the “Designated Materials”) from Moog’s Amended Complaint (the “Amended Complaint”).

Moog submits that compelling reasons exist to permit the Designated Materials to be filed under seal. The Designated Materials include documents that have been identified as Protected Material pursuant to the Protective Order entered in this action on May 6, 2022 (the “Protective Order”) (Dkt. 89), which are quoted in or referenced in excerpts from the Amended Complaint. Moog further seeks to file under seal Exhibits F, I, J and K attached to the Amended Complaint. The material that Moog requests to file under seal is the type of information that Moog does not make public, does not share with competitors, and keeps confidential in its business. If disclosed publicly, it could be used by Moog’s competitors to secure unfair competitive advantage and cause irreparable business harm.

Specifically, Moog seeks to file the following Designated Materials under seal: (1) highlighted portions of Moog’s Amended Complaint at pages 12:1-14:8, 15:3-18:5, 19:12-22:2, 22:8-23:12, 35:10-24, 39:19-25, 39:27-40:1, 40:3-12, 40:15-18, 40:21-26, 41:1-14, 41:18-25, 44:2-7, 65:28-66:4, 69:18-24, 70:3-11, 70:17-19, 70:21-24, 70:25-71:1, 71:3-4, 72:14-15, 81:22-82:1, 82:5-9; and (2) Exhibits F, G, I, J, and K to Moog’s Amended Complaint.

Moog also seeks to provisionally lodge under seal the following Designated Materials, which refer to, describe, or quote documents that Skyrise has identified as Protected Material under the Protective Order, or which Moog believes that Skyrise may consider to be Skyrise’s own confidential information: highlighted portions of Moog’s Amended Complaint at pages 36:25, 43:21-24, 48:22-24, 66:13-14, 72:6-8, 72:24-25, 72:28-73:2, 73:11-13, 74:5, 74:10-11, 77:3-5, 77:9-11, 77:17,

1 77:24-25, 77:28, 78:5, 78:20-22, 79:7-8, 80:10-12. Accordingly, pursuant to  
2 paragraph 12.1 of the Protective Order, Moog seeks to provisionally lodge these  
3 documents under seal until such time as Skyryse withdraws its confidentiality  
4 designations or the Court rules on a forthcoming application from Skyryse to justify  
5 that these documents, or portions of thereof, remain under seal.

6 This application is further based upon the accompanying Declaration of  
7 Kazim Naqvi in Support of this Application; any pleadings, files, and records in this  
8 action; and any further evidence or argument as this Court may consider.

9 Moog's counsel conferred with Skyryse's counsel via e-mail on July 18, 2023  
10 regarding all of the Skyryse Designated Materials referenced above. Moog's counsel  
11 noted that for many of the Skyryse Designated Materials, Moog had previously  
12 conditionally lodged such materials under seal (Dkt. 358) and Skyryse had already  
13 filed a supporting declaration specifying which portions of those materials it  
14 believes should be filed under seal (Dkt. 366). Moog request that Skyryse's counsel  
15 advise if its positions regarding sealing had changed since filing Dkt. 366, and  
16 whether any of the other Skyryse Designated Materials should be made publicly  
17 available. Moog also advised that it had already applied for sealing the same  
18 materials in connection with Moog's Motion for Leave to Amend (Dkt. 487), which  
19 was granted by the Court at Dkt. 489. As of 10:00 a.m. PT on July 21, 2023,  
20 Skyryse had not provided its positions. Accordingly, Moog will conditionally lodge  
21 under seal all Skyryse Designated Materials and any quotes or references thereto,  
22 and consistent with Dkts. 366 and 487.

1 Dated: July 21, 2023

2 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

3  
4 By                     /s/ Kazim A. Naqvi                      
5 Kazim A. Naqvi

6 Attorney for Plaintiff and Counter-Defendant  
7 MOOG INC.  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28